



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/945,105	08/31/2001	Kerry Adam	12235-03/JWE	2118

7590 10/06/2006  
Lee Troxler  
825 Las Palmas  
Santa Barbara, CA 93110

EXAMINER

GRAHAM, CLEMENT B

ART UNIT	PAPER NUMBER
----------	--------------

3692

DATE MAILED: 10/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



### **DETAILED ACTION**

#### **Claim Rejections - 35 USC § 102**

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-8, are rejected under 35 U.S.C. 102(e) as being anticipated by Chou et al (Hereinafter Chou U.S Patent 6, 055, 504).

As per claim 1, Chou discloses a method for effecting a transaction in agricultural commodities on an agricultural commodity exchange, comprising:

establishing a communication network defining a community of buyers and sellers of agricultural commodities (see column 2 lines 55-67 and column 3 lines 1-67 and column 4 lines 1-23) receiving a first multiplicity of seller asks, over the communication network, from a plurality of selling entities, each seller ask corresponding to a particular agricultural commodity(see column 2 lines 55-67 and column 3 lines 1-67 and column 4 lines 1-23) receiving a second multiplicity of buyer bids, over the communication network, from a plurality of buying entities, each buyer bid corresponding to a particular agricultural commodity(see column 2 lines 55-67 and column 3 lines 1-67 and column 4 lines 1-23) posting said first multiplicity of seller asks and second multiplicity of buyer bids to the community of buyers and sellers over the communication network in the form of level-2 trading data(see column 2 lines 55-67 and column 3 lines 1-67 and column 4 lines 1-23) executing at least one transaction between a buyer and a seller with respect to a particular agricultural commodity by a buyer's making an electronic indication on a

Art Unit: 3628

respective posted seller ask for that particular commodity. (see column 2 lines 55-67 and column 3 lines 1-67 and column 4 lines 1-23)

As per claim 2, Chou discloses further comprising the step of executing at least one transaction between a buyer and a seller with respect to a particular agricultural commodity by a seller's making an electronic indication on a respective posted buyer bid for that particular commodity. (see column 2 lines 55-67 and column 3 lines 1-67 and column 4 lines 1-23).

As per claim 3, Chou discloses wherein each respective buyer bid is associated with a desired quantity index and wherein each respective seller ask is associated with a corresponding inventory index. (see column 2 lines 55-67 and column 3 lines 1-67 and column 4 lines 1-23).

As per claim 4, Chou discloses a method for effecting efficient electronic transactions in agricultural commodities, comprising:

- establishing an agricultural commodity exchange, including a communication network linking a community of buyers and sellers of agricultural commodities;
- receiving a multiplicity of seller asks, each seller ask associated with a corresponding inventory index, from a plurality of selling entities, each seller ask corresponding to a particular agricultural commodity. (see column 2 lines 55-67 and column 3 lines 1-67 and column 4 lines 1-23)
- receiving a multiplicity of buyer bids, each buyer bid associated with a corresponding desired quantity index, from a plurality of buying entities, each buyer bid corresponding to a particular agricultural commodity. (see column 2 lines 55-67 and column 3 lines 1-67 and column 4 lines 1-23)
- posting said multiplicity of seller asks and said multiplicity of buyer bids to the community of buyers and sellers over the communication network in the form of level-2 trading data. (see column 2 lines 55-67 and column 3 lines 1-67 and column 4 lines 1-23)
- accommodating changing market conditions by facilitating immediate electronic changes to inventory and desired quantity indices in any or all of the multiplicity of buyer bids or seller asks; and

Art Unit: 3628

posting the modified buyer bids and seller asks in real-time to the community of buyers and sellers over the communication network in the form of level-2 trading data, as changes are made. (see column 2 lines 55-67 and column 3 lines 1-67 and column 4 lines 1-23).

As per claim 5, Chou discloses comprising:  
accommodating changing market conditions by facilitating immediate electronic changes to seller asking prices and buyer bid prices in any or all of the multiplicity of buyer bids or seller asks; and  
posting the modified buyer bids and seller asks in real-time to the community of buyers and sellers over the communication network in the form of level-2 trading data, as changes are made.(see column 2 lines 55-67 and column 3 lines 1-67 and column 4 lines 1-23).

As per claim 6, Chou discloses a system for effecting efficient electronic transactions in an agricultural marketplace, comprising:  
an agricultural trading platform, including a communication network linking a community of participating buyers and sellers of agricultural items, the trading platform including a server system coupled to user access devices over the communication network. (see column 2 lines 55-67 and column 3 lines 1-67 and column 4 lines 1-23)  
a database, the database structured in accordance with a categorical hierarchical structure, the top-level categories of the database corresponding to top-level market subdivisions comprising the agriculture related marketplace, the database containing a plurality of transaction offer notices for agricultural items organized in accordance with a corresponding one of the plurality of top-level markets. (see column 2 lines 55-67 and column 3 lines 1-67 and column 4 lines 1-23) a set of blank transaction offer notices in the form of a data record defining a transaction's parameters, each participating entity providing appropriate transaction parameters in the data record. (see column 2 lines 55-67 and column 3 lines 1-67 and column 4 lines 1-23) a plurality of completed transaction offer notices stored in the database;  
a search engine, hosted by the server system, the search engine searching the database for transaction notices in accordance with a query corresponding to at least

Art Unit: 3628

one transaction parameter. (see column 2 lines 55-67 and column 3 lines 1-67 and column 4 lines 1-23) and a negotiation engine, hosted by the server system, the negotiation engine facilitating an electronic transfer of a modified transaction offer notice between an originating party and a negotiating party. . (see column 2 lines 55-67 and column 3 lines 1-67 and column 4 lines 1-23).

As per claim 7, Chou discloses further comprising:

a posting engine, the posting engine presenting blank transaction offer notices to a participating entity, the posting engine storing completed transaction offer notices in the database for access by the search engine. (see column 2 lines 55-67 and column 3 lines 1-67 and column 4 lines 1-23) and a management engine, coupled to the database, the management engine organizing and displaying a history of transaction notices originated by and transactions completed by a corresponding participating entity. (see column 2 lines 55-67 and column 3 lines 1-67 and column 4 lines 1-23).

As per claim 8, Chou wherein the search, negotiation, and posting engines interact with a participating entity over a set of user specific presentation screens, the presentation screens accessible by a user through a browser application. . (see column 2 lines 55-67 and column 3 lines 1-67 and column 4 lines 1-23).

#### Conclusion

3 The prior art of record and not relied upon is considered pertinent to Applicants disclosure.

Getchius et al (US 6,393,415 Patent ) teaches adaptive partitioning techniques in performing query request and routing.

Ginter et al (US Patent 5,892,900) teaches system and methods for secure transaction management and electronic rights protection..

Roberta et al (US Patent 6,292,788) teaches methods of investment instruments for performing tan deferred real estate exchanges.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clement B Graham whose telephone number is 571-272-6795. The examiner can normally be reached on 7am to 5pm.

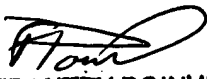
Art Unit: 3628

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung S. Sough can be reached on 703-308-0505. The fax phone numbers for the organization where this application or proceeding is assigned are 571-273-8300 for regular communications and 703-305-0040 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

CG

Sept 11, 2006

  
FRANTZY POINVIL  
PRIMARY EXAMINER  
*Art 3628*